IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 15TH JANUARY 2007 / 25TH PAUSHA 1928

Bail Appl..No. 165 of 2007()

CRMP.11/2007 of J.M.F.C.,THIRUVALLA
Crime No.149/06 of Perumpetty Police Station

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: PETITIONER/ACCUSED

ANILKUMAR, S/O.SANKARANARAYANAN,
AGED 37 YEARS, RESIDING AT NARAKATHINAMKUZHY VEEDU
PUTHOOR PADI, KULATHOOR PAYYAMATTAM MURI,
KOTTANGAL VILLAGE.

BY ADV. SRI.S.MUHAMMED HANEEFF

RESPONDENT: COMPLAINANT

STATE OF KERALA, REP BY SUB INSPECTOR
OF POLICE, PERUMPETTY POLICE STATION,
PERUMPETTY (CRIME NO.149 OF 2006)
REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No. 165 of 2007

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Dated this the 15th day of January, 2007.

ORDER

Petitioner, who is the accused in Crime No.149 of 2006 of Perumpetty police Station for offences punishable under Sections 8(1) and (2) of Abkari Act for allegedly having been found in possession of 5 litres of illicit arrack on 27.12.2006 and who was arrested on the same day, seeks his enlargement on bail.

2. The learned Public Prosecutor opposed the application submitting inter alia that the petitioner is an accused in five other cases involving similar abkari offenses. He further submitted that the proceedings under Section 107 Cr.P.C. have already been initiated against the petitioner.

3. I am not satisfied that both the grounds enumerated under Sec. 41 A (b)(ii) of the Abkari Act are present in this case so as to justify the release of the petitioners on bail. The medical certificate put forward by the petitioner cannot constitute any justification for enlarging the petitioner on bail.

This application is accordingly dismissed.

V.RAMKUMAR,

JUDGE.

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